



March 21, 2016

Christine Klemme
Region V, Freedom of Information Officer
United States Environmental Protection Agency
FOIA Office (MEI-9J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: Freedom of Information Act Request
CECOS International, Inc.
Aber Road Facility, Williamsburg, Ohio
Clermont County, Ohio

Ms. Klemme,

On behalf of the Board of Commissioners of Clermont County, Ohio, we do hereby request that you make the following records available relating to the CECOS International Facility, 5092 Aber Road, Williamsburg, Ohio 45176:

- 1) Any and all information pertaining to the above-referenced site for the time period of February 1st, 2015 through present. Information includes, but is not limited to: photographs, notes, letters, ledgers, worksheets, brochures, notebooks, diaries, calendars, charts, tables, papers, agreements, contracts, acknowledgements, analyses, transcripts, meeting minutes of any kind, correspondence, drafts, electronic media (e-mails, disks, etc.), data processing disks, tapes or compact discs, and computer-produced interpretation thereof, instructions, schedules, reports, etc.;
- 2) These documents are requested for programs under RCRA. It is our understanding that David Petrovski is the contact person for the site in RCRA;
- 3) These documents are also requested for the TSCA program. It is our understanding that Jae Lee is the contact person for the site in TSCA; and
- 4) With regard to these documents, we also hereby request copies of violations, potential violations or regulatory deficiencies under any statute for this site.
- 5) All documents listed in Enclosure B of the FOIA 05-FOI-2014-004269.

We would appreciate it if you could provide us with an estimate of the volume of documents to assist us in our planning efforts. If the list is short, we would appreciate it if you could provide a list of the documents so that we can determine whether or not we would like you just to copy and forward the documents or whether we would like to copy and review the documents.

If any records are withheld, please state the title, author, date, address, and the list of persons or entities receiving or who received copies, the type of each record withheld, and indicate the grounds by which the record is not being made available.

Thank you in advance for your attention to this request. If you have any questions, please contact me at 513-732-7894 or email me at hlubbers@clermontcountyohio.gov

Sincerely,



Hannah Lubbers
Project Manager
Clermont County
Office of Environmental Quality

Enclosures (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUN 24 2014

REPLY TO THE ATTENTION OF:

Hannah Gonzalez
Project Manager
Clermont County Office of Environmental Quality
101 E. Main Street
Batavia, Ohio 45103

Re: Freedom of Information Act Request
Number EPA-R5-2014-004269

Dear Ms. Gonzalez:

This letter is the final response of the U.S. Environmental Protection Agency, Region 5, to your Freedom of Information Act (FOIA) request dated March 7, 2014. You requested any and all information in EPA Region 5 files pertaining to the CECOS International, Inc., Aber Road Facility in Williamsburg, Ohio (CECOS facility) for the time period of February 1, 2012 to the date of your request. The Region 5 FOIA Office has assigned your request to the Land and Chemical Division (LCD) and the Water Division for response. This response covers records within the control of the Land and Chemicals Division and the Office of Regional Counsel (ORC). The Water Division does not have any records responsive to your request.

EPA's response to your request was originally due on April 3, 2014, but through various communications with Sharon Travis of LCD and Erik Olson of ORC, you agreed to extend the response deadline to June 23, 2014. You also limited the scope of your request so as not to include documents related to the revised Resource Conservation and Recovery Act (RCRA) Post-Closure Plan, dated October 2012, which you already possess.

We have searched our records and have located records responsive to your request. Enclosure A is an itemized list of the documents we are releasing. However, we are unable to provide you with other documents responsive to your request because we have determined that they are exempt from mandatory disclosure under Exemption 5 of FOIA, 5 U.S.C. § 552(b)(5). Exemption 5 protects inter- or intra-agency documents that would not be available by law to a party in litigation with the agency. This includes the attorney/client and deliberative process privileges recognized under common law. An itemized list of the withheld material, along with the basis for withholding and an estimate of the volume of withheld materials, is provided in Enclosure B to this letter.

Releasable records will be available to you via a link to the FOIAonline database that will be provided to you shortly in a separate email message. There is no fee for this response.

You may appeal this response by writing to EPA's National Freedom of Information Officer at the following address: EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, DC 20460. Note that only items mailed through the U.S. Postal Service may be delivered to this address; if you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to EPA, 1301 Constitution Avenue, NW, Room 6416J, Washington, DC 20004. Alternatively, you may fax your appeal to (202) 566-2147 or send it by email to hq.foia@epa.gov. Your appeal must be made in writing and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar-day limit. The appeal letter should include the identification number of your request, 05-FOI-2014-004269. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

For your information, Region 5's Land and Chemical Division administers Federal programs mainly under the Resource Conservation and Recovery Act (RCRA), the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the Toxic Substances Control Act (TSCA), and the Toxics Release Inventory program of the Emergency Planning and Community Right-to-Know Act (EPCRA).

Please contact Erik Olson, Associate Regional Counsel, at 312-886-6829 or olson.erik@epa.gov if you have any questions about this matter.

Sincerely,



Margaret M. Guerriero
Director
Land and Chemical Division

Enclosures

Enclosure A

List of Documents Released, FOIA 05-FOI-2014-004269

Cecos land holdings pdf
CECOS location of units pdf
CECOS soil map pdf
East Fork Lake Tributaries pdf
East Fork Lake report pdf
ECHO report pdf
Evaluation list pdf
Facility detail report pdf
Financial assurance pdf
Meeting agenda pdf
My waters Mapper pdf
RCRA corrective action progress pdf
Monitoring point locations annotated pdf
Organic Solvent alteration of Hydraulic properties of rocks – annotated pdf
TSCA Approvals Annotated pdf
Watershed protection article – annotated
Email – March 28, 2013 from Erik Olson to Steve Johnson
Email – April 4, 2013 from Erik Olson to Steve Johnson
8 Emails – March 7, 2013 from Steve Johnson to Erik Olson
1 Email – March 4, 2013 from Debra Klassman to Erik Olson and Catherine Fox
1 Email – March 5, 2013 from Catherine Fox to Erik Olson
1 Email – March 5, 2013 from Catherine Fox to Christine Klemme
6 Emails – March 8, 2013 from Erik Olson to Steve Johnson and Christine Klemme
1 Email – March 4, 2013 from Christine Klemme to Erik Olson and Steve Johnson
1 Email – March 4, 2013 from Debra Klassman to Erik Olson
1 Email – March 4, 2013 from Cheryl Klebenow to Erik Olson and Debra Klassman

Enclosure B

List of Withheld Material, FOIA 05-FOI-2014-004269

Document/Material	Author	Recipient(s)	Date	Reason for Withholding	Estimate of Volume
Paleotopography Powerpoint	Steve Johnson	n/a	uncertain	Ex. 5 Deliberative	5 slides
Bedrock till interface with notes	Steve Johnson	n/a	2013	Draft, Deliberative	1 page
"Cecos Landfill, Aber Road Ohio Technical and Regulatory Review for Closure/Post-Closure Approval under the Toxic Substances Control Act" PowerPoint presentation, 7 drafts	Steve Johnson	n/a	May 3, 2013 – February 18, 2014	Ex. 5 Deliberative	340 KB
"Cecos Facility, Clermont Co. water resource risks" PowerPoint presentation	Steve Johnson	n/a	March 4, 2013	Ex. 5, Deliberative	27 Slides
Email – FW: CECOS Aber Road PCB results	Steve Johnson	Mary Setnicar, Brandon Pursel, Kenneth Bardo	April 18, 2012	Ex. 5, deliberative	2 pages
Draft "Cecos Geo Hazard Memo" – not formal memo, no recipient	Steve Johnson	n/a	Uncertain	Ex. 5, deliberative	4 pages
Cecos pre-oepa consultation meeting notes	Steve Johnson	n/a	April 19, 2012	Ex. 5, deliberative	5 pages
EPA/Clermont Co. Pre-meeting Discussion Cecos-Clermont County Agreement notes	Steve Johnson	n/a	December 12, 2012	Ex. 5, deliberative	6 pages
Anotated "review of the adequacy of the BFI/Cecos Aber Road Hazardous Waste Landfill facility closure and post-closure plans	Annotations: Steve Johnson Article: G. Fred Lee	N/a	Annotations undated.	Ex. 5, deliberative	43

to protect public health and the environment."					
Powerpoint fragment converted to pdf "TSCA Closure/Post Closure analysis Cecos Landfill Aber Road Ohio"	Steve Johnson	N/a	March 19, 2013	Ex. 5, deliberative	36 pages
Annotated EPA directive 9487.50-1A, "Waiver from Double Liner Requirements Pursuant to Section 3015(b)(1) and 40 CFR Section 265.301 (c) for Cecos International, Inc., Williamsburg, Ohio, Landfill Cell NO. 9"	Annotations by Steve Johnson	n/a	Annotations undated	Ex. 5, deliberative	3 pages
"Cecos Closure/ Postclosure water monitoring" pdf of notes.	Steve Johnson	n/a	Undated	Ex. 5, deliberative	17 pages
Closure/postclosure comments (notes)	Steve Johnson	n/a	Undated	Ex. 5, deliberative	1 page
"good vs. bad" notes	Steve Johnson	n/a	Undated	Ex. 5, deliberative	6 pages
"New Suit Could Open Door to Court Review of RCRA Orders after Sackett" annotated article	Daily News, annotations by Steve Johnson	n/a	Article dated January 11, 2013, annotations undated	Ex. 5, deliberative	2 pages
"Outline Cecos annual report" pdf notes	Steve Johnson	n/a	Undated	Ex. 5, deliberative	1 page
Annotated print out of Bloomington, Indiana City website regarding PCB sites	Author of Website unknown, annotations by Steve Johnson	n/a	Undated	Ex. 5, deliberative	7 pages
TSCA PostClosure Considerations pdf notes	Steve Johnson	n/a	June 11, 2013	Ex. 5, deliberative	5 pages
"Cecos Action Alternative" memo pdf	Steve Johnson	Mary Setnicar	May 15, 2013	Ex. 5, deliberative	2 pages

3 Pdfs of maps	Drawn and annotated by Steve Johnson	n/a	Undated	Ex. 5 deliberative	3 pages
25 Arc-GIS maps	Manipulated and Annotated by Steve Johnson	n/a	Undated	Ex. 5, deliberative	25 pages
Cecos Monitoring 2008, annotated, pdf in two parts.	Annotated by Steve Johnson	n/a	Document – 2008 Annotations undated	Ex. 5, Deliberative	34 pages
Email – Cecos Action Alternative re monitoring effectiveness	Steve Johnson	Mary Setnicar, Erik Olson, Brandon Pursel	May 15, 2013	Ex. 5, deliberative, attorney/client privilege	2 pages
Email – RE: CECOS project status	Mary Setnicar	Steve Johnson, Erik Olson, Tony Martig	March 12, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – TSCA Status-Closure	Steve Johnson	Mary Setnicar, Erik Olson, Tony Martig, Kenneth Bardo, Tammy Moore	March 19, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – Cecos Update	Steve Johnson	Erik Olson	March 22, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – RE: Cecos Update	Erik Olson	Steve Johnson	March 25, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – RE: Cecos Update	Steve Johnson	Erik Olson	March 25, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – CECOS approved PC plan	Mary Setnicar	Steve Johnson, Tammy Moore, Tony Martig, Erik Olson	March 28, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – FOIA Exemption [sic]; re:FW: CECOS Financial Assurance	Steve Johnson	Mary Setnicar, Erik Olson	April 11, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – Tasks, CECOS Project	Steve Johnson	Mary Setnicar, Erik Olson	May 2, 2013	Ex. 5, deliberative,	1 page

				attorney/client privilege	
Email – Cecos project update status	Steve Johnson	Mary Setnicar, Erik Olson	May 2, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – CWA considerations	Steve Johnson	Erik Olson, Mary Setnicar	May 3, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – Oh...I updated the slide show...see slides at 235+	Steve Johnson	Erik Olson, Mary Setnicar	May 3, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – Cecos Action Alternative regarding monitoring effectiveness	Steve Johnson	Mary Setnicar, Erik Olson, Brandon Pursel	May 15, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email – Cecos PostClosure Plan considerations	Steve Johnson	Mary Setnicar, Erik Olson	June 11, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email –RE: Cecos PostClosure Plan considerations	Erik Olson	Steve Johnson, Mary Setnicar	June 11, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - RE: Cecos PostClosure Plan considerations	Mary Setnicar	Steve Johnson, Erik Olson	June 11, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - RE: Cecos PostClosure Plan considerations	Steve Johnson	Mary Setnicar, Erik Olson	June 11, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
IM – Conversation with Steve Johnson	Steve Johnson	Erik Olson	March 15, 2013	Ex. 5, deliberative, attorney/client privilege	3 lines
Email - Re:FOIA 2013-3256 on CECOS, FOIA denial material...Cecos International, Ohio, TSCA Closure	Steve Johnson	Erik Olson, Christine Klemme, Mary Setnicar	February 28, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - Cecos Inc. EPA Power Point Notes	Steve Johnson	Erik Olson, Christine Klemme	March 1, 2013	Ex. 5, deliberative, attorney/client privilege	1 page

Email - Re:FOIA 2013-3256 on CECOS, FOIA denial material...Cecos International, Ohio, TSCA Closure	Erik Olson	Steve Johnson, Christine Klemme, Mary Setnicar	March 1, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - FW: Cecos FOIA response: Old E-mails	Steve Johnson	Erik Olson, Christine Klemme	March 1, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - FW: FOIA 2013-003256/CECOS	Steve Johnson	Erik Olson, Christine Klemme	March 1, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - RE: FOIA 2013-003256/CECOS	Erik Olson	Steve Johnson, Christine Klemme	March 7, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - RE: FOIA 2013-003256/CECOS	Christine Klemme	Erik Olson, Steve Johnson	March 7, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - Cecos FOIA	Steve Johnson	Christine Klemme, Erik Olson	March 7, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - RE: CECOS Aber Road PCB results	Erik Olson	Steve Johnson, Christine Klemme	March 8, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - RE: 9 Fw: Meeting with Clermont County to Discuss the CECOS Landfill	Erik Olson	Steve Johnson, Christine Klemme	March 8, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - RE: 10 Fw: Meeting with Clermont County to Discuss the CECOS Landfill	Erik Olson	Steve Johnson, Christine Klemme	March 8, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
Email - RE: FOIA 2013-3256 from H. Gonzalez regarding CECOS	Erik Olson	Steve Johnson, Christine Klemme	March 11, 2013	Ex. 5, deliberative, attorney/client privilege	1 page
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